

### REMARKS


Claims 14, 18, 22, 26, 47, 50, 61, 64, 92, 96, 106, 119 and 123 are pending in the application. In the Office Action mailed August 4, 2003, claims 18, 26, 50, 64, 96, 106 and 123 are allowed, and claims 14, 22, 47, 61, 92 and 119 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 16-19 of U.S. Patent No. 6,203,987 B1. While not acquiescing to the propriety of this rejection, Applicants hereby submit a Terminal Disclaimer under 37 C.F.R. 1.321(c) disclaiming the terminal part of any patent granted on the above-identified application which would extend beyond the expiration date of U.S. Patent No. 6,203,987 B1, and agreeing that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,203,987 B1. The rejection under the judicially created doctrine of obviousness-type double patenting is therefore obviated and should be withdrawn.

Applicants respectfully request that the remarks of the present response be entered and made of record in the instant application.

Withdrawal of the rejection and allowance of all the claims are earnestly requested. If any issues remain, the Examiner is respectfully requested to telephone the undersigned to discuss the same.

Respectfully submitted,

Date: February 4, 2004

  
Adriane M. Antler 32,605  
JONES DAY (Reg. No.)  
222 East 41st Street  
New York, New York 10017-6702  
Phone: (212) 326-3939